

DURHAM JONES & PINEGAR  
R. Stephen Marshall (2097)  
David L. Arrington (4267)  
Attorneys for plaintiff  
111 East Broadway, Suite 900  
Salt Lake City, Utah 84111  
Telephone: (801) 415-3000

FILED  
CLERK, U.S. DISTRICT COURT  
10 APR 00 AM 10:48  
DISTRICT OF UTAH  
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U.S. DISTRICT COURT  
APR - 7 2000  
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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

USANA, INC., a Utah corporation,	)	
	)	
Plaintiff,	)	<b><del>[PROPOSED]</del> DEFAULT</b>
	)	<b>JUDGMENT AND</b>
vs.	)	<b>PERMANENT INJUNCTION</b>
	)	<b>AGAINST</b>
	)	<b>LINDA LIU</b>
LINDA LIU, an individual, and USANA	)	
GROUP, INC., a California corporation,	)	
	)	Civil No. 2:99CV 827 K
Defendants.	)	
	)	Hon. Dale A. Kimball

IN THIS ACTION, defendant Linda Liu was regularly served with Summons and Complaint in accordance with Rule 4 of the Federal Rules of Civil Procedure and this Court's Order of December 29, 1999. Linda Liu has failed to answer or otherwise respond to plaintiff's Complaint and the time allowed by law for answering or responding to plaintiff's Complaint has expired. For these reasons, the Clerk of the Court has entered a Default Certificate against Linda Liu in accordance with Rule 55 of the Federal Rules of Civil Procedure and according to law.

In light of the foregoing, default judgment against Linda Liu is hereby entered in accordance with Rule 55(b)(2) of the Rules of Civil Procedure. Judgment is entered in favor of plaintiff and against defendant Linda Liu as follows:

Entered on docket  
4/11/00  
Deputy Clerk

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1. For judgment and decree of this Court permanently enjoining Linda Liu, her agents, employees, and all others acting in concert with her or any of them, from:

(a) Using in any manner the designation, "USANA," or any words or combination of words or letters similar thereto, in the advertising, marketing, or sale of Linda Liu's or USANA Group, Inc.'s products;

(b) Using in any manner any trademark, service mark, trade name, words, abbreviations, designs, arrangements, or other combinations thereof that would imitate, resemble, or suggest plaintiff's mark "USANA," or its trade name "USANA";

(c) Otherwise infringing plaintiff's mark "USANA," or its trade name "USANA";

(d) filing or registering the mark "USANA", or maintaining any filing or registration that includes the mark "USANA", with any state, federal or other governmental office or department, including the California Secretary of State; and

(e) Unfairly competing with plaintiff, diluting the distinctiveness of plaintiff's trade name and mark or otherwise injuring plaintiff's business reputation in any manner.

2. For an amount equal to three times the actual damages incurred by plaintiff as a result of defendants' unlawful and wrongful conduct, in an amount to be proved by plaintiff at an evidentiary hearing to be held at a future date in accordance with Rule 55(b)(2) of the Federal Rules of Civil Procedure;

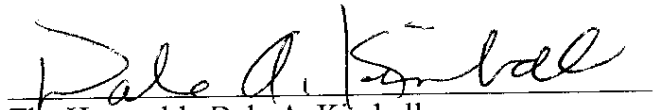
3. For an accounting by Linda Liu and USANA Group, Inc. of profits attributable to their unlawful and wrongful conduct, and for a judgment against Linda Liu in such amount, together with interest thereon as provided by law;

4. For plaintiff's costs and a reasonable attorneys' fee;

5. For such additional relief as the Court deems fair and just.

Dated this 10<sup>th</sup> day of April, 2000.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", written over a horizontal line.

The Honorable Dale A. Kimball  
Judge of the United States District Court, District of Utah

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United States District Court  
for the  
District of Utah  
April 11, 2000

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:99-cv-00827

True and correct copies of the attached were either mailed or faxed by the clerk to the following:

Linda Liu  
1400 FIFTH AVE  
#201  
SAN DIEGO, CA 92101

Stephen Marshall, Esq.  
DURHAM JONES & PINEGAR  
111 E BROADWAY STE 900  
SALT LAKE CITY, UT 84111  
JFAX 9,4153500